

Subdivision

Application Checklist

This document can be submitted with your application as a summary of documents submitted for approval.

No.	Mandatory documents to be submitted with your application	√
1	An Application Form completed and signed	
2	A full copy of Title for the land, including the map showing current owners, title plan and any registered covenants, restrictions or Section 173 Agreements	
3	The prescribe application fee	

No.	Supporting documents to be submitted with your application	√
4	5 copies of Plans of Subdivision (A3 Size)	
5	3 copies of a survey plan showing existing conditions and the site area (A2)	
6	Copy of a written statement explaining: <ul style="list-style-type: none"> • The purpose of the subdivision • The current use of the land • The area of each proposed new allotment • How the proposal meets the objectives and standards of Clause 56 • How the proposal responds to any relevant Development Plans • Proposed vegetation removal • How the proposal responds to any relevant Local Planning Policies and Strategies 	

Clause 56 of the Swan Hill Planning Scheme

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of Subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 6.06-1 and 56.06-3
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

What is subdivision?

Subdivision is the process of splitting land or a building into a number of lots which can then be sold separately as individual titles. Subdivision can also include realigning or altering title boundaries even if the number of lots does not change.

Applying for subdivision

When applying for a subdivision you can either:

- Apply for a Planning Permit then followed by a Certification, OR
- Apply for a Joint Planning Permit and Certification

First step is to seek advice from the Council Planning Department about the zoning of your land to see if subdivision is possible.

Steps when applying for a Planning Permit then followed by a Certification

1. Apply for a Planning Permit

- a. Apply to Council for Application for a Planning Permit to Subdivide
- b. Application may need to be advertised in local paper and advice adjoining owners
- c. Referred to nominated agencies (Referral Authorities)
- d. Referred to Technical Services, Building, Environmental Health and Strategic Planning for comment.
- e. Council to consider the application and Issue Planning Permit with Conditions or refuse the permit.

2. Apply for and obtain a Certified Plan of Subdivision

- a. Owner appoints a Licensed Surveyor to prepare a plan of subdivision. (2 hard Copies – Formal Plans)
- b. Apply for Application for Certification - Form 1 (This form advises Surveyor who this application will be referred to)
- c. Referred to nominated agencies that have conditions on Planning Permit
- d. Referred to Technical Services, Building Environmental Health and Strategic
- e. Planning for their approval. (Only if there is conditions from their department)
- f. A plan will be Certified when the conditions on the planning permit have been met or arrangements have been made to meet those conditions, along with any other matter set out in Section 6(1) of the Subdivision Act.
- g. The Certified plan to be lodged at the Titles Office.

3. Obtain a Statement of Compliance

- a. Completed the entire requirements on the planning permit – all referral authority and Council conditions have been met.
- b. Before a Statement of Compliance can be issued, written advice from a Licensed Surveyor must be provided to the Council in a prescribed form. This should be to the effect that the subdivision including all lots, roads, common property and reserves) has been marked out or defined.

4. Lodgement at Titles Office

- a. Lodge the certified plan, statement of compliance, street numbering advice and any additional documents prepared by your land surveyor with the Land Registry. Lodgement is usually undertaken by your solicitor or conveyancer.
- b. Once completed new land Titles will be released for each lot registered.

Steps when applying for a Joint Planning Permit and Certification

A planning application for subdivision can run in parallel with the certification process under the Subdivision Act 1988. A plan cannot, however, be certified before a planning permit is issued. If planning and certification applications are processed concurrently, the prescribed time under the Act applies.

1. Planning Permit & Certification

- a. Apply for Application for Planning Permit & Certification - Form 1 (This form advises Surveyor who this application will be referred to)
- b. Referred to nominated agencies that have conditions on Planning Permit
- c. Referred to Technical Services, Building Environmental Health and Strategic Planning for their approval. (Only if there is conditions from their department)
- d. A plan will be Certified when the conditions on the planning permit have been met or arrangements have been made to meet those conditions, along with any other matter set out in Section 6(1) of the Subdivision Act.
- e. The Certified plan to be lodged at the Titles Office.

2. Certification & Statement of Compliance – FINAL RELEASE

- a. Owner appoints a Licensed Surveyor to prepare a plan of subdivision. (2 hard Copies – Formal Plans)
- b. 2 Apply for Application for Certification - Form 1 (This form advises Survey or who this application will be referred to)
- c. 3 Referred to nominated agencies that have conditions on Planning Permit 4 Referred to Technical Services, Building Environmental Health and Strategic Planning for their approval. (Only if there is conditions from their department)
- d. Completed the entire requirement on the planning permit – all referral authorities and Council conditions have been met.
- e. Certification & Statement of Compliance will be issued on the hard copies.

Pre-application Meetings

Pre-application meetings are recommended as a part of the application process. Council officers can provide specific advice to applicants on whether the proposal is generally consistent with the Swan Hill Planning Scheme.

Council officers will also aim to assist applicants to become fully aware of the expected standard and extent of documentation they are required to provide with their application to reduce or avoid the need for Council to request further information.

To arrange an appointment for a pre-application meeting with a Planning Officer please contact the Statutory Planning Unit directly on (03) 5036 2352.